

**\*REVISED 9/9/09**

**State of New York**  
**Public Health Council**

**ANNUAL MEETING**

**AGENDA**

**September 11, 2009**  
**10:00 a.m.**

**Meeting Rooms 2 & 3**  
**Concourse Level, Empire State Plaza**  
**Albany**

**I. INTRODUCTION OF OBSERVERS**

Dr. William Streck, Chairman

**II. APPROVAL OF MINUTES**

July 17, 2009

Exhibit #1

**III. ELECTION OF OFFICERS**

P Vice Chairperson

P Committee Chairpersons

- < Codes & Legislation Committee
- < Establishment of Health Care Facilities Committee
- < Health Personnel and Interprofessional Relations Committee
- < Ad Hoc Committee to Support the Prevention Agenda toward the Healthiest State

**IV REVISED COMMITTEE ON ESTABLISHMENT OF**  
**HEALTHCARE FACILITIES / PHC 2008 MEETING LOCATION**

Exhibit #2

**V. ESTABLISHMENT**

**A. Committee on Establishment of Health Care Facilities**

Susan Regan, Chair

**CATEGORY 1:**      Applications Recommended for Approval - No Issues or Recusals,  
Abstentions/Interests

**CON Applications**

**Diagnostic and Treatment Centers**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082062	Ridge Health Services, Inc. (Schenectady County)	Contingent Approval	Exhibit #3

**Residential Health Care Facilities**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
062439	Montgomery Operating Company, LLC d/b/a Montgomery Nursing Home (Orange County)	Contingent Approval	Exhibit #4

**Certified Home Health Care Agency**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091052	A&T Certified Home Care, LLC (Rockland County)	Contingent Approval	Exhibit #5

**Certificate of Amendment of the Certificate of Incorporations**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
League for the Hard of Hearing	Approval	Exhibit #6
Marcus Garvey Nursing Home, Inc. *Interest – M. Fassler	Approval	Exhibit #7
Southampton Care Center	Approval	Exhibit # 8

**Certificate of Dissolution**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
The Grace Manor Foundation, Inc.	Approval	Exhibit #9

**Restated Articles of Organization**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Gastro Operating Company, LLC	Approval	Exhibit #10

**Home Health Agency Licensures** Exhibit #11

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1741	Kenwell Realty, LLC d/b/a Kenwell Manor (Erie County)	Approval	Recusal – S. Regan

**CATEGORY 2:** Applications Recommended for Approval with the Following:

- \$ PHC Member Recusals
- \$ Without Dissent by SHRPC or HSA
- \$ Without Dissent by Establishment Committee

**Ambulatory Surgery Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091059	Advanced Surgery Center, LLC (Rockland County) Recusal – H. Fensterman	Contingent Approval	Exhibit #12

**Diagnostic and Treatment Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
071123	Children's Rehabilitation Center (Westchester County) Interest – P. Yang *Interest – M. Fassler	Contingent Approval	Exhibit #13
091139	Rochester Primary Care Network, Inc. d/b/a Rushville Health Center (Yates County) Interest – P. Robinson	Contingent Approval	Exhibit #14

## **Certificate of Amendment of the Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
AHRC Health Care, Inc. Recusal – H. Fensterman	Approval	Exhibit #14

## **Home Health Agency Licensures** Exhibit #16

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1771	Academy Care Givers, Inc. (Bronx and Westchester Counties)	Approval	Recusal S. Regan Interest – P. Yang
1458	Moffat Gardens ALP, Inc. d/b/a Moffat Gardens (Kings Counties)	Approval	Recusal – S. Regan
1817	Bryan Skilled Home Care, Inc. (Nassau, Suffolk and Queen County)	Approval	Recusal – S. Regan

### **CATEGORY 3:** Applications Recommended for Approval with the Following:

- \$ No PHC Member Recusals
- \$ Establishment Committee Dissent, or
- \$ Contrary Recommendations by SHRPC or HSA

NONE.

### **CATEGORY 4:** Applications Recommended for Approval with the Following:

- \$ PHC Member Recusals
- \$ Establishment Committee Dissent, or
- \$ Contrary Recommendation by SHRPC or HSA

NONE.

### **CATEGORY 5:** Applications Recommended for Disapproval by OHSM or Establishment Committee B with or without Recusals

NONE.

**CATEGORY 6:**      Applications for Individual Consideration/Discussion

**Acute Care Services**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091090	Upper Allegheny Health System (Cattaraugus County)	Contingent Approval	Exhibit #17

**Dialysis Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082158	Liberty RC, Inc. (Kings County)	Contingent Approval	Exhibit #18

**Residential Health Care Facilities**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082124	North Sea Associates, LLC d/b/a The Hamptons Rehabilitation and Nursing (Suffolk County) Recusal – H. Fensterman *Interest – M. Fassler	Contingent Approval	Exhibit #19
082134	Niskayuna Operating Company, LLC d/b/a Pathway Rehabilitation and Special Care Center (Schenectady County) Recusal – H. Fensterman	Contingent Approval	Exhibit #20
082135	Troy Operating Company, LLC d/b/a Woodlands Rehabilitation Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #21
082136	Rensselaer Operating Company, LLC d/b/a Rosewood Rehabilitation and Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #22

082137	Cortland Operating Company, LLC d/b/a Crown Center for Rehabilitation and Nursing Center (Cortland County) Recusal – H. Fensterman	Contingent Approval	Exhibit #23
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<b>B.</b>	<b><u>Report of Establishment Applications</u></b>	Exhibit #24
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<b>C.</b>	<b><u>Status Report on Requests for Hearings on Applications for Establishment</u></b>	Exhibit #25
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Thomas Conway, General Counsel

**VI. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES**

Commissioner Richard F. Daines, M.D.

**VII. PUBLIC HEALTH SERVICES**

**Office of Public Health Report**

Novel H1N1 Influenza Update

Dr. Guthrie Birkhead, Deputy Commissioner, Office of Public Health

**VIII. REGULATION**

Department Update - 09-03 Amendment of Subpart 6-2 of Title 10 NYCRR (Ocean Surf Bathing Beaches and Automated External Defibrillators(AEDs))	Exhibit #26
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**Committee on Codes and Legislation**

Ellen Rautenberg, Chair

**For Information**

08-05 Amendment of Subpart 7-1 and Addition of new Subpart 7-4 of Part 7 of Title 10 (Temporary Residences and Mass Gatherings)	Exhibit #27
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**IX. NEXT MEETING**

November 13, 2009 (NYC)

**X. ADJOURNMENT**